

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	16/07/2020
Planning Development Manager authorisation:	AN	16/07/2020
Admin checks / despatch completed	CC	16.07.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	16.07.2020

Application: 20/00301/DETAIL **Town / Parish:** Frinton & Walton Town Council
Applicant: Mr and Mrs A Hobbins
Address: Greenways Church Lane Great Holland
Development: Reserved matters for outline approval 19/00560/OUT.

1. Town / Parish Council

Frinton and Walton Parish Council Have not commented on this application

2. Consultation Responses

Essex County Council Heritage
14.07.2020 Built Heritage Advice pertaining to an application for: Reserved matters for outline approval 19/00560/OUT.
Considering the latest revisions, there is no objection to this application.

ECC Highways Dept
13.07.2020 From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. Prior to the occupation of either dwelling the internal layout shall be provided in principal with drawing numbers:
 - Drawing 9c Amended block plan
 - Drawing 13a Amended garage floor plans and elevationsReason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM1.
2. The dwellings shall not be occupied until such time as a car parking and turning area has been provided in principal with proposed block plan drawing 8. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning of vehicles related to the use of the development thereafter.
Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 & 8.
3. The public's rights and ease of passage over public footpath no. 164_4 (Frinton and Walton) shall be maintained free and unobstructed at all times.
Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies DM1 and DM11

4. The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

5. Prior to occupation of the proposed dwelling, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10.

6. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the carriageways.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the carriageway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

1: Steps should be taken to ensure that the Developer provides enough turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site. No vehicles associated with the development shall affect the ease of passage along the adjacent PROW.

2: The areas directly adjacent to the carriageway(s) in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.

3: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

4: The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is a breach of this legislation. The public's rights and ease of passage over public footpath no. 164_4 (Frinton and Walton) shall always be maintained free and unobstructed to ensure the continued safe passage of the public on the definitive right of way.

5: Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

6: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

7: The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

3. Planning History

17/01692/TCA	1 No. Silver Birch - Fell.	Approved	30.10.2017
19/00560/OUT	Proposed removal of existing bungalow and erection of 2 dwellings.	Approved	07.08.2019

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

COM6 Provision of Recreational Open Space for New Residential Development

EN6A Protected Species

EN17 Conservation Areas

EN20 Demolition within Conservation Areas

EN23 Development Within the Proximity of a Listed Building

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG9 Private Amenity Space

HG13 Backland Residential Development

HG14 Side Isolation

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

CP1 Sustainable Transport and Accessibility

LP1 Housing Supply

LP4 Housing Layout

LP8 Backland Residential Development

PPL4 Biodiversity and Geodiversity

PPL8 Conservation Areas

PPL9 Listed Buildings

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP5 Open Space, Sports & Recreation Facilities

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of

consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF (which applies until such time that the figures in the new Local Plan are adopted).

In addition, the actual need for housing (as set out in the emerging Local Plan) was found to be much less than the figure produced by the standard method when tested at the recent Examination in Public of the Local Plan, as recently endorsed by the Local Plan Inspector. Therefore, in weighing the benefits of residential development against the harm, the Inspector's endorsement of the lower housing requirement figure is a strong material consideration which tempers the amount of weight that can reasonably be attributed to the benefit of additional new housing to address the perceived shortfall – given that, against the Local Plan housing requirement there is, in fact, a surplus of supply as opposed to a shortfall.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is Greenways, which is located to the northern section of Church Lane within the parish of Great Holland. Greenways itself is a single storey residential property set back behind the existing development line to the east and west. The site lies within the Great Holland Conservation Area, while approximately 80 metres to the east is All Saints Church, a Grade II* Listed Building. To the west of the site is a public right of way.

The site falls within the Settlement Development Boundary for Great Holland, as agreed in both the Adopted Tending Local Plan 2007 and the Emerging Tending District Local Plan 2013-2033 and Beyond Publication Draft.

Planning History

Planning permission was granted under planning application reference 19/00560/OUT for two dwellings.

Proposal

This application seeks permission for the reserved matters for the construction of two dwellings following the approval at outline stage under planning permission 19/00560/OUT.

As all matters were reserved at outline stage the reserved matters under consideration as part of this detailed application are:

- Access;
- Layout;
- Landscaping;
- Scale; and
- Appearance.

Assessment

The main considerations for this application are;

- Principle of Development
- Backland Development
- Scale, Layout and Appearance
- Residential Amenities
- Heritage Impact
- Highway Safety and Parking Provision
- Biodiversity
- Trees and Landscaping
- Habitat Regulations Assessment
- Other Considerations

Principle of Development

The principle of development has been established through the granting of planning application reference 19/00716/OUT. Therefore this application is subject to the detailed consideration below.

Backland Development

The development involves the construction of two detached dwellings in a 'backland' location to the rear of the established residential frontage along Church Lane. With regards to Policy HG13 of the 2007 Local Plan (and echoed in policy LP8 of the draft Local Plan), it states proposals for the residential development of backland sites must comply with the following criteria:

- i. the site lies within a defined settlement development boundary and does not comprise land allocated or safeguarded for purposes other than a residential use;
- ii. where a proposal includes existing private garden land which would not result in less satisfactory access or off-street parking arrangements, an unacceptable reduction in existing private amenity space or any other unreasonable loss of amenity to existing dwellings;
- iii. a safe and convenient means of vehicular and pedestrian access/egress can be provided that is not likely to cause undue disturbance or loss of privacy to neighbouring residents or visual detriment to the street scene. Long or narrow driveways will be discouraged;
- iv. the proposal does not involve "tandem" development using a shared access;
- v. the site does not comprise an awkwardly shaped or fragmented parcel of land likely to be difficult to develop in isolation or involve development which could prejudice a more appropriate comprehensive development solution;
- vi. the site is not on the edge of defined settlements and likely to produce a hard urban edge or other form of development out of character in its particular setting; and
- vii. the proposal would not be out of character with the area or set a harmful precedent for other similar forms of development.

The main problems that can arise as a result of backland development include undermining the established character of an area (especially if similar schemes were to be repeated elsewhere in a locality); dwelling plots appearing cramped relative to their surroundings; the fragmentation of established gardens with a loss of mature landscaping; and the infringement of neighbouring residents' amenities. Development behind an established building line can also appear incongruous, particularly with isolated dwellings.

There must also be proper means of access to backland development, which is safe and convenient for both drivers and pedestrians, with a turning area where necessary to avoid the need for vehicles to reverse onto a public highway. A proposed access should avoid excessive disturbance or loss of privacy to neighbouring residents through, for example, an access drive passing unreasonably close to an adjoining dwelling. The likely frequency of use by vehicular traffic and the suitability of the access for service vehicles and the emergency services will also be relevant material considerations.

In respect of the policy criteria noted above the development is considered to meet the requirements as follows;

(i) - the site is within the defined settlement boundary in both the saved and emerging local plans and is not designated for any particular use;

(ii) - the existing bungalow is well set back from Church Lane, with development not proposed to be within the existing garden area, bar a slight extension as a result of a larger replacement dwelling. The plans demonstrate that both proposed dwellings will have private garden areas in excess of 100sqm, which will accord with the requirements of saved policy HG9. Furthermore, each dwelling will have a separate access and sufficient off-street parking provision.

(iii) - the private access would be located on the western side of Greenways, which currently serves two dwellings approved under planning permission 15/00984/FUL to the north. Essex County Council Highways do not object to the proposal. In terms of the impact upon residential amenity, the access point will be located approximately 10 metres to the adjacent neighbour to the west, which is separated by existing mature vegetation, and traffic movements associated with one additional property would not cause undue noise and disturbance to the surrounding residents.

(iv) - whilst the layout indicates 'tandem development' the access would not be shared.

(v) - the site is of a regular shape and would not compromise a more comprehensive development solution.

(vi) - the development of the site would not form a hard urban edge to the settlement as the land is surrounded by residential development on all sides.

(vii) - the development would not set a harmful precedent as the existence of the access road and two dwellings approved under 15/00984/FUL create a unique situation. The siting of the existing dwelling is also extremely deep, effectively allowing a replacement dwelling and an additional dwelling reflecting the prevailing building line.

Scale, Layout and Appearance

Paragraphs 127 and 170 of the NPPF state that developments should add to the overall quality of the area, be visually attractive as a result of good architecture and be sympathetic to local character, including the surrounding built environment.

Saved Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan (2007) seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward within Policy SPL3 of the emerging Local Plan.

The submitted plans demonstrate the layout of the two single storey dwellings which allows for a well-spaced development retaining at least 1 metre to all boundaries which exceeds the standards set out within saved Policy HG14 of the Tendring District Local Plan. Plot 1 retains a good set back from the highway with both plot 1 and plot 2 having sufficient parking and turning area to the front of each dwelling.

The overall scale and footprint of plot 1 and plot 2 is considered to be proportionate to the plot and the surrounding area.

The fenestration and the proposed materials detailed on the plans are considered to relate acceptably to the character of the area.

Policy HG9 of the Saved Tendring District Local Plan 2007 states that private amenity space for a dwelling of three bedrooms or more should accommodate a minimum of 100 square metres. The plans provided demonstrate that both plot 1 and plot 2 can accommodate in excess of 100 sqm in line with Policy HG9.

Overall the development is considered to represent an acceptable scale, layout and appearance that will not appear harmful to visual amenity or the character and appearance of the street scene.

Residential Amenities

The NPPF, in paragraph 127 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Tendring District Local Plan (2007) states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017).

Paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate. These objectives are supported by emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

Plot 1 and plot 2 will both be visible to the neighbouring dwelling to the east and west of the application site. The plans provided demonstrate that there will be a minimum of 1 metres distance to each neighbouring boundary.

As the proposed dwellings are single storey it is considered that due to the boundary treatments there will be no impact upon neighbouring amenities.

The proposal is considered acceptable in terms of neighbouring impact and residential amenities.

Heritage Impact

Paragraph 189 of the National Planning Policy Framework (2019) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 193 of the National Planning Policy Framework (2019) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 196 of the National Planning Policy Framework (2019) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy EN17 of the Adopted Local Plan states that development within a Conservation Area must preserve or enhance the character or appearance of the Conservation Area. The sentiments of this policy are carried forward within Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Policy EN23 of the Adopted Local Plan states that development that would adversely affect the setting of a listed building, including group value and long distance views, will not be permitted. The sentiments of this policy are carried forward within Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The application site is within the Great Holland Conservation Area, whilst the All Saints Church, a Grade II* Listed Building, is located approximately 80m to the east. Greenways itself is not mentioned within the Great Holland Conservation Area Appraisal; however All Saints Church is recognised as a "substantial and important building", while "The church tower and its woodland setting are prominent in all longer range views from Frinton and Holland Gap".

The Council's Historic Environment team have been consulted on this application and originally did not support the application due to the quality of the development and concerns with the southern bungalow, garage and associated paved parking. Discussions were had between the agent and the Historic Environment Team and amended plans were provided. The team were re-consulted and have no objections to the proposed plans.

Highway Safety and Parking Provision

Paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate. These objectives are supported by emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

Essex Highway Authority have been consulted on this application and have stated that there are no objections subject to conditions relating to the internal layout of the dwellings, car parking and turning area, public footpath, cycle parking, residential Travel information pack and the storage of building materials. The cycle parking condition will not be imposed as there is a large garden to accommodate cycle parking. The Residential Travel Information Pack will also not be imposed as this application is for one dwelling only and is usually only applied to major schemes. The storage of building materials will be imposed as an informative only.

The Council's Adopted Parking Standards require that dwellings with 2 bedrooms or more require a minimum of 2 parking space is provided per dwelling measuring 5.5 metres by 2.9 metres. The plans provided demonstrate that the site can accommodate two parking spaces in line with the Standards for both Plot 1 and Plot 2.

Biodiversity

As established within the outline application, the site contains a large area to the centre of the plot that was overgrown. A phase 1 Habitat Survey was provided and a condition was imposed to the outline permission to ensure that the mitigation measures are adhered to.

Trees and Landscaping

In terms of the retention of existing trees and proposed new tree planting the information provided, on the amended site layout plan, is acceptable. It adequately demonstrates how retained trees will be physically protected for the duration of the construction phase of the development of the land and shows the positions and specification for new tree planting.

Habitat Regulations Assessment

A unilateral undertaking accompanied the permission 19/00560/OUT securing a proportionate financial contribution in line with Essex Coast RAMS requirements to ensure that this proposal will not have an adverse effect on the integrity of the nearby European sites from recreational disturbance, when considered 'in combination' with other development. This remains in place.

Requirements of Outline Consent

The application was approved subject to a number of conditions and subject to a legal agreement for a financial contribution towards recreational disturbance.

- 1 - 3 Standard reserved matters time limit and submission of details conditions.
- 4 Approved Plans
- 5 Landscaping
- 6 Ecology
- 7 Construction Method Statement

Condition 5 and 7 have been addressed within this application.

Other Considerations

Frinton and Walton Parish Council have not commented on this application.

One letter of representation has been received raising the following concerns;

- Concerns raised in regards to the landscaping

In response to this concern, this has been addressed within the report.

- Concerns raised in regards to the gravel

The plans provided demonstrate that the parking areas will be block paved.

6. Recommendation

Approval - Reserved Matters/Detailed

7. Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans;

- Drawing No. 11 Revision B - Proposed Elevation - Plot 1
- Drawing No. 14 Revision B - Proposed Street Scene
- Drawing No. 16 Revision D - Proposed Site Plan
- Drawing No. 17 Revision C - Construction Method Statement
- Drawing No. 6 Revision C - Proposed Floor Plans - Plot 1
- Drawing No. 9 Revision C - Proposed Block Plan
- Drawing No. 12 Revision A - Proposed Elevation - Plot 2
- Drawing No. 13 Revision A - Proposed Garage Details
- Drawing No. 19 - Section showing sunken garage - Plot 1
- Drawing No. 7 Revision B - Proposed Floor Plans - Plot 2

Reason - For the avoidance of doubt and in the interests of proper planning.

2 Prior to the occupation of either dwelling the internal layout shall be provided in principal with drawing numbers:

- Drawing 9c Amended block plan
- Drawing 13a Amended garage floor plans and elevations

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety

3 The dwellings shall not be occupied until such time as a car parking and turning area has been provided in principal with proposed block plan drawing 9 revision C. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning of vehicles related to the use of the development thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety

4 The public's rights and ease of passage over public footpath no. 164_4 (Frinton and Walton) shall be maintained free and unobstructed at all times.

Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility

5 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved plans shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure the adequate maintenance of the approved landscaping scheme for a period of five years in the interests of the character and quality of the development.

6

All new parking areas and areas of hardstanding shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area within the site.

Reason - In the interests of sustainable development and to minimise the risk of surface water flooding.

7 The submitted Construction Method Statement drawing no. 17 Revision C shall be adhered to throughout the demolition and construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety.

8 Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), other than those shown on the approved drawings, no provision of fences, walls or other enclosures shall be erected along the northern or eastern boundaries of the site or forward of the front elevation of the dwellings hereby approved except in accordance with details that shall previously be approved in writing by the Local Planning Authority.

Reason - In the interests of visual amenity and landscape impact.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Conditions

The applicant is reminded that this detailed planning consent is subject to conditions and legal agreement attached to the outline permission for this development reference 19/00560/OUT Please refer to the outline planning permission to ensure full compliance with all conditions

Highways

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2: The areas directly adjacent to the carriageway(s) in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.

3: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

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4: The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is a breach of this legislation. The public's rights and ease of passage over public footpath no. 164_4 (Frinton and Walton) shall always be maintained free and unobstructed to ensure the continued safe passage of the public on the definitive right of way.

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7: The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO